

**REMARKS/ARGUMENTS**

**Status of the Claims**

Claims 1-23 are pending in this application.

Claims 9-15 are allowed

Claims 1, 4-8 and 16-21 are rejected.

Claims 2 and 3 are objected to.

Claims 1 and 16 have been amended.

Claims 22-23 are new.

Support for these amendments can be found throughout the specification, claims and drawings as originally filed.

The examiner has rejected claims 16-18 and 21 under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over Pomernacki '023.

United States Patent No. 4,252,023 to Pomernacki discloses a gear testing system used to sense vibrations occurring during operation of the gears. The testing system includes a gear 10 mounted on a spindle 14 contained in a spindle housing 16. Braces 18 located on a base 20 support the spindle housing 16. A gear 12 is mounted on a spindle 24 contained in a spindle housing 26. A drive motor 40 operates to drive the spindle 14 and correspondingly the gear 10 through a pair of pulleys 22, 36 and a drive belt 34. As set forth in the specification "The drive motor 40 is preferably driven at a speed such that the tooth-to-tooth frequency of the teeth 64 of the gear 10 and the teeth 66 of the gear 12 produce a tooth-to-tooth frequency which is substantially the same as a resonant frequency of the resiliently supported spindle housing 26." (Col. 2, ll. 8-13.) Accordingly, Pomernacki '023 controls the speed of the gears 10, 12 as

necessary to reach the resonant frequency of the resiliently supported spindle housing 26.

Claims 16 as amended includes as an element thereof that the structure is configured using the at least one checking system anomaly frequency. Nothing in Pomernacki '023 discloses using a checking system anomaly frequency to configure the structure of the checking system. To the contrary, as set forth above, Pomernacki '023 varies the speed of the respective gears 10, 12 until they produce a tooth-to-tooth frequency substantially the same as a resonant frequency of the spindle support housing 26. No reference is made to adjusting or tuning the checking system based on a checking system anomaly frequency. This element is not disclosed in nor is it taught or suggested by Pomernacki '023. Accordingly, applicants submit that claim 16 and the claims dependent therefrom are allowable as written.

The examiner has rejected claims 1, 4-8, 19 and 20, under 35 U.S.C. §103(a) as unpatentable over Pomernacki '023. With respect to claim 1, claim 1 as amended includes that at least a portion of the checking system is configured using the at least one anomaly frequency of the component in the checking system. As set forth above, this element is not taught or suggested by Pomernacki '023. Accordingly, applicants submit that claim 1 and the claims dependent therefrom are allowable as written.

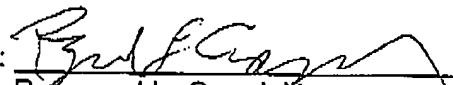
Applicant has added new claims 22, 23. Claims 22 is claim 2 rewritten in independent form to include the limitations of base claim 1 which the examiner has indicated as being allowable. Claim number 23 is same as claim 3 and is dependent upon claim 22, thus applicants submit that claim 23 is also in condition for allowance.

The Examiner is invited to telephone the applicant's undersigned attorney at (313) 337-1069 if any unresolved matters remain.

Please charge any cost incurred in the filing of this amendment, along with any other costs, to Deposit Account No. 06-1510. If there are insufficient funds in this account, please charge the fees to Deposit Account No. 06-1505.

Respectfully submitted,

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